

AMENDED IN ASSEMBLY MARCH 10, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1636

**Introduced by Assembly Member ~~Brown~~ Members *Brown and
Roger Hernández***

February 10, 2014

An act to add Section 379 to the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1636, as amended, Brown. Water conservation.

Under existing law, various provisions govern conservation programs and authorize public entities to enact water conservation programs to reduce the quantity of water used by persons for the purpose of conserving water supplies.

This bill would prohibit a city or county, during a drought emergency declared by the Governor, from enforcing a law or ordinance requiring a resident to water his or her lawn.

Existing law, the Davis-Stirling Common Interest Development Act, defines and regulates common interest developments.

This bill would prohibit an association, as defined, from imposing any fine or other penalty against a homeowner who does not water his or her law in violation of any association rule, policy, or other restriction applicable to a common interest development if the violation occurs during a drought emergency declared by the Governor.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 379 is added to the Water Code, to read:

379. During a drought emergency declared by the Governor pursuant to Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code, *a the following shall apply:*

(a) A city or county shall not enforce any law or ordinance requiring a resident to water his or her lawn.

(b) An association, as defined in Section 4080 of the Civil Code, shall not impose any fine or penalty against a homeowner who does not water his or her lawn in violation of any association rule, policy, or other restriction applicable in a common interest development, if the violation occurs during the declared drought emergency.

CORRECTIONS:

Heading—Authors—Line 2.